

TELEGRAPH

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Homeless man worked at asbestos plant



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Owner of Johns-Manville building has pleaded guilty in case

By BRIAN J. BOWE
Telegraph Staff

NASHUA — The former owner of the Johns-Manville plant used at least one homeless man to remove asbestos from the site — a practice that was criticized last week by U.S. Attorney General Janet Reno.

Stephen P. Draper, the former owner of the plant, is awaiting sentencing after pleading guilty earlier this month to illegally handling asbestos at the former plant. Under a plea agreement, he is expected to serve 14 months in jail.

The illegal removal involved "the use of a number of workers who worked on weekends and at other times," said John Gauthier, special agent with the criminal investigations division of the U.S. Environmental Protection Agency. "These people

were essentially day laborers, and at least one was homeless."

The homeless man was identified as Thomas Peno, a Nashua resident who died of lung cancer in June 1995, Gauthier said.

While working on the demolition of the plant, Peno was living upstairs in a loft in the building during the fall and winter with no heat or electricity, Gauthier said.

Despite the poor living and working conditions, Gauthier said the man's death was not caused by work on the plant demolition.

"There's no indication that his lung cancer was aggravated or caused by exposure to asbestos," Gauthier said, adding that Peno did have a limited amount of training in

how to handle asbestos.

The Johns-Manville case was one cited in a Justice Department press conference last Friday. At the conference, Reno called the practice of employing the homeless, teenagers and unqualified day laborers "a shameful human exploitation" and promised that the federal government will prosecute offenders.

Draper, of Woburn, Mass., pleaded guilty to a single charge of violating the federal Clean Air Act in a plea agreement submitted to the U.S. District Court in Concord on April 3.

Along with the imprisonment, Draper will have to pay a \$1,000 fine and receive proba-

tion for up to a year after serving his sentence, under the plea agreement reached with the U.S. attorney's office. The agreement must be approved by U.S. District Court Judge Joseph A. DiClerico Jr. before it can go into effect.

Draper initially pleaded innocent to three asbestos-related charges in November when he faced over a dozen years in jail and \$750,000 in fines.

Draper directed the illegal removal of the hazardous material from the plant's equipment during the fall and winter of 1992, hoping to make some money from their sale for scrap metal, according to the plea agreement.

Investigators from the EPA said they found "hundreds of bags" of loose asbestos throughout the building when they searched it in July 1994. The aging plant had become an eyesore and danger to the Bridge Street neighborhood. It was demolished in the early part of 1997, after it was taken over by the city.

Asbestos was once a popular building material, but health studies since have shown the natural mineral can cause cancer and a debilitating lung disease when its fibers become airborne and are breathed in.

Superfund Records Center
SITE: Johns-Manville
BREAK: 13.3
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